



# BMV Court News

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Volume 1, Number 1

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### Access IN

*Your source for driver record information*

### INcite

*JTAC Application for SR16-filing to BMV*

### MYBMV

### Contact Us

<http://www.in.gov/bmv>

[bmvcourts@bmv.in.gov](mailto:bmvcourts@bmv.in.gov)  
*email address is not to be used for submission of official documents*

IN Bureau of Motor Vehicles  
Indiana Government Center North,  
100 N. Senate Avenue  
Indianapolis, IN 46204

Fax: 317-233-5153

## Welcome Indiana Courts

The Indiana Bureau of Motor Vehicles is happy to introduce the new quarterly newsletter. The BMV is dedicated to providing the best possible service to the citizens of the State of Indiana. It is clear that by working closely and openly communicating with the Indiana court system, the service provided to the Indiana public can be greatly improved.

This newsletter will allow the BMV & the Court System to do three important things 1) develop and maintain effective communication, 2) improve service to Indiana citizens, and 3) develop, improve and maintain knowledge of Indiana law as well as BMV Policy and Procedure. These three things will be reinforced throughout the newsletter with information on topics that are frequently questioned or misunderstood. Finally, the BMV will offer a forum allowing members of the Indiana Court System to post or submit questions relating to BMV policy and procedure or Indiana Law so that areas weak in knowledge and understanding may be identified and highlighted.

The BMV will publish this newsletter in the months of January, April, July and October so that any changes made in the Legislative sessions can be included. Please feel free to utilize any and all of the resources available in this newsletter.

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## Alerts

As of November 2008, the Bureau of Motor Vehicles has been **coding all incoming citations** according to the Indiana Code (IC) listed on the citation. Please be sure that the correct Indiana Code is listed to ensure the convictions are applied to the driving record properly.

As of December 2008, the Bureau of Motor Vehicles has been including all vehicle information when entering citations onto a driving record. If the vehicle information is provided to you, please include this information on the **SR16** sent to the bureau. The inclusion of this information will greatly improve the acceptance and the applying of proof of insurance at the time of the incident.

**Subpoenas** are received and logged by the Licensing and Credentials Department to ensure representation by the Bureau of Motor Vehicles is available if needed. **We have a new process that also requires us to be notified (in writing) if the bureau does not need to attend.** When possible, if the subpoena includes additional information such as date of birth or Driver License Number, that will ensure that the correct driver record information is obtained.

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## Citation Reporting

The Bureau of Motor Vehicles (BMV) is requesting your assistance in properly reporting citation data. Due to difficulties reporting citation data, especially

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## PROCESSING TIPS

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### Faxing

If a court faxes a document, the turnaround time is 7-10 business days to process. However, if it is a BMV error, we will process it right away.

Instructions on how to complete the eCWS citations are located on the

**JTAC website  
blog**

or you may email the BMV at

[bmvcourts@bmV.in.gov](mailto:bmvcourts@bmV.in.gov)

and request a copy

across U.S jurisdictions, some existing fields will be required when submitting citation data either electronically or manually to the BMV.

In order to comply with Federal regulations regarding Commercial Driver Licensing and Indiana's Financial Responsibility requirement, the BMV must require certain fields to be populated on the SR16's, UTT's or within the CATS file. Those fields include: **Deferral Statutory Authorization IC Code** (if "Court Disposition" = "Deferred"), **License Type, Gender, Accident, Fatality, Vehicle Year, and Vehicle Make.**

These fields are necessary in order for the BMV to produce and maintain accurate driver records.

We will require these fields to be populated (as stated above) beginning July 1st. At that time, SR16s and UTTs, in addition to CATS transmissions, **will be rejected if these fields are not populated prior to being sent to the BMV. If the required information was not provided to the court, the court shall clearly indicate such on the SR16.**

**Note: Beginning later this year the BMV will require payment date for any SR16s marked "payment". Look for more information in the October issue of this newsletter.**

Thank you for adjusting your programs to ensure the Indiana Courts are in compliance with State and Federal laws and that the BMV receives the most accurate citation information available.

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## Keep on Truckin'

*By: Nathan Moore, Program Director, Licensing and Credentials*

It is the responsibility of the State of Indiana and all other 50 states (including Washington D.C.) to present an accurate driver record – which includes all convictions, disqualifications and accidents – to individuals, employers and other jurisdictions. Aside from the quality of the data received from Indiana courts, timeliness of reporting the data plays a major role in assuring those entities have access to the most accurate driver histories available.

Although the process of recording data for a driver cited for violating an Indiana or federal law starts on the streets with police officers, Indiana courts are a major player in collecting and sending that data to Indiana's motor vehicle agency (MVA), the Bureau of Motor Vehicles. Quality of data and timely reporting helps prevent unsafe drivers from obtaining or renewing commercial driver licenses (CDLs) and deters them from driving CMVs which are more difficult to safely operate than your average passenger vehicle. It is the responsibility of the officers, prosecutors, judges, court clerks and motor vehicle agency to preserve that data and report it consistently in accordance with state and federal law.

Please assist the Indiana Bureau of Motor Vehicles in timely, quality reporting of conviction data for Hoosier and out-of-state drivers alike. **Do not delay in sending convictions to the BMV. As of 9/30/08, all states are required to report convictions on out-of-state CDL holders (or those violations committed in a CMV) to the appropriate State of Licensure within 10 days of the conviction date.**

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## MY BMV

[www.mybmv.in.gov](http://www.mybmv.in.gov)

Skip your next license branch visit and create a myBMV account today. Your personal myBMV account is a virtual license branch that gives you more information about your records as well as the ability to securely access many services online.

Your myBMV account allows you to access the following services:

- Renew vehicle registrations online and receive a \$5 discount through 2008
- Order a driver record or certified driver record
- Reserve or re-reserve a personalized plate
- Order duplicate titles
- Review the information in your personal record
- Update your insurance information or mailing address
- Sign up for email reminders for your driver license or registration expiration dates and other news

Accessing the services provided through your myBMV account is fast, secure and easy to use. To create your myBMV account you will be asked to provide your Indiana driver license number and the last four digits of your Social Security number.

The myBMV service is regularly unavailable on Sundays from 6 a.m. to 10 a.m. for scheduled maintenance.

## Online Records



To determine if violation data has been processed by the BMV, you may access the CATS Activity Report through INCite.

If you want to know why someone is suspended or if a document has been processed, visit [Access Indiana](http://www.in.gov/ai/appfiles/bmv-license-search/) (<http://www.in.gov/ai/appfiles/bmv-license-search/>) or [INCite](http://www.in.gov/judiciary/jtac/programs/incite.html) (<http://www.in.gov/judiciary/jtac/programs/incite.html>).

## Obtaining Driver Information

We would like to clarify the methods to obtain information as it applies to the Indiana Courts and the personal information on specific drivers.

The Indiana BMV is required to abide by the Indiana Code, Driver Privacy Protection Act, and the Indiana Bureau of Motor Vehicles policy.

In accordance with the above laws, acts and policies, Indiana Courts may obtain information as follows:

- Access Indiana (<http://www.in.gov/ai/appfiles/bmv-license-search/>) allows members to obtain driving records on individuals immediately.
- Request for Driving Records and/or Motor Vehicle or Watercraft Records (State Form 53789) allows courts to submit request for records regarding a specific driver. The courts may submit the request by mail or fax using the standard Record Request form. The Courts should receive the records by mail within 7-10 days of receipt by the BMV. This form is located at:  
<http://www.in.gov/icpr/webfile/formsdiv/53789.pdf>
- Indiana courts may fax the request on letterhead to the BMV's Licensing and Credentials Division. This request must include the Drivers License Number or social security number, name, date of birth, and address of the individual.

**If you are requesting tickets, copies of certain documents, etc, you need to request this on letterhead and fax it to 317-233-5153 or email the BMV Court email.**

IN Courts may contact the IN Bureau of Motor Vehicles by phone and provide the Drivers License Number or social security number, name, date of birth, and address of the individual as well as specific current court case information to obtain status regarding that specific court case only. **BMV Court mailbox** ([bmvcourts@bmv.in.gov](mailto:bmvcourts@bmv.in.gov)) – emails to this mailbox must be received from appropriate email addresses in order for us to verify the sender (Please do not send from personal email accounts – hotmail, yahoo, etc.) **Note: This email address is dedicated to court communication. Please do not distribute this address to the public.**

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## Temp Ag CDL has been extended

Governor Daniels has requested that the Indiana Restricted Commercial Driver License (CDL) holders be allowed to utilize 60 days of the second 90 day season at this time.

Indiana has experienced continuous rainfall this spring, resulting in the agricultural industry having difficulty completing their planting season.

On June 30, 2009 the CDL Agricultural Waiver expired, creating a hardship for our farmers who have been unable to complete their work. Use of 60 days of the second 90 day season will allow the Restricted CDL to be used through August 31, 2009.

The Indiana State Police and all enforcement agencies have been alerted to the use of the second season.

## Changes to Indiana Law for Probationary Drivers Who Get a License on or after July 1, 2009

Recent changes to state law affect probationary drivers (**drivers under the age of 18**) who get an Indiana driver's license on or after July 1, 2009. Drivers who get an Indiana driver's license on or before June 30, 2009, are not affected by the following changes in state law.

[Learn more about Senate Bill 16 affecting probationary drivers](http://www.in.gov/legislative/bills/2009/SE/SE0016.1.html)  
<http://www.in.gov/legislative/bills/2009/SE/SE0016.1.html>

**If a driver under the age of 18 is cited for any of the below violations, the Bureau expects to receive an SR16 citing IC 9-24-11-3.3 (violation of minor's probationary license).**

### Telecommunication devices

If you get a probationary driver's license on or after July 1, 2009, you may not use any type of telecommunication device while driving except to make emergency 911 calls.

### Curfew

If you get a probationary driver's license on or after July 1, 2009, you may not drive between 10 p.m. and 5 a.m. for 180 days after obtaining your license.

After you have driven for 180 days, you may not drive during the following hours:

- (a) between 1 a.m. and 5 a.m. on a Sat or Sun;
- (b) after 11 p.m. on Sun, Mon, Tue, Wed, or Thurs; or
- (c) before 5 a.m. on Mon, Tue, Wed, Thurs, or Fri.

You may drive at any time if you are traveling to or from work, school, or a religious event, or if you are accompanied by an individual with a valid Indiana driver's license who is 25 years or older.

### Driving with passengers

If you get a probationary driver's license on or after July 1, 2009, you may not drive with passengers for 180 days after obtaining your license, unless you are also accompanied by a licensed instructor, an individual with a valid Indiana driver's license who is 25 years or older, or a parent, guardian, or step-parent who is 21 years or older. You may drive at any time with your child, sibling, or spouse.

### Court diversion programs

If you get a probationary driver's license on or after July 1, 2009, you will not qualify for court diversion programs for any commercial vehicle infractions or if you are arrested or charged with an offense under the following:

- a) Possession, consuming or transporting alcohol: IC 7.1-5-7-7(a), if the alleged offense occurred while operating a motor vehicle
- b) Operation of a motor vehicle when financial responsibility revoked: IC 9-30-4-8(a)
- c) Criminal recklessness w/vehicle: IC 35-42-2-2(c)(1)
- d) Obstruction of traffic: IC 35-42-2-4(b)(1) or
- e) Criminal mischief (graffiti): IC 35-43-1-2(a), if the alleged offense occurred while operating a motor vehicle

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